

REMARKS

Claims 2-9 and 11-20 are pending in the application, of which Claims 13 and 18-20 are independent. All claims have been rejected under 35 U.S.C. 102(e). Applicants respectfully traverse those rejections and request reconsideration.

Claims 2-9 and 11-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by Dove *et al.* (U.S. Pub. No. 2003/0007502, hereinafter "Dove"). As Applicants have previously submitted, the Office has interpreted Dove's central office to be the claimed "*local switch*" and has asserted that the network elements of Fig. 3, which are connected to an Asymmetric Digital Subscriber Line (ADSL) and Plain Old Telephone Service (POTS), groom traffic inbound for the central office by combining the ADSL and POTS traffic on Optical Carrier-3 (OC3) lines. As Applicants have also previously submitted, OC3 lines carry traffic at a higher speed than the ADSL and POTS lines.

Independent Claim 19 recites "*grooming the inbound traffic at the first transport switch includes separating higher speed traffic streams into lower speed traffic streams*" (emphasis added). Independent Claims 13, 18, and 20 recite similar elements. Applicants previously submitted that, according to the interpretation given in the Office's rejections, Dove does just the opposite because Dove combines the ADSL and POTS traffic inbound for its central office into higher speed OC3 lines and, therefore, does not anticipate the independent claims.

The Office responded by stating that Dove "discloses a bidirectional grooming method which grooms lower speed traffic into higher speed and vice versa." Applicants did not dispute this in their previous response, but explained that Dove grooms lower speed traffic into higher speed traffic for traffic inbound for Dove's central office, which the Office has interpreted as being the claimed local switches. Dove does not groom higher speed traffic into lower speed traffic for traffic inbound for its central office. Thus, Applicants respectfully submit that the independent claims are in condition for allowance for at least this reason. If the Office still disagrees, Applicants respectfully request a more-detailed explanation as to why the Office believes the Dove reference to disclose "separating higher speed traffic streams into lower speed traffic streams" for traffic inbound for Dove's central office.

In addition, the independent claims recite methods and systems for “grooming network traffic in a digital cross connect,” (emphasis added) using a “first transport switch” and a “second transport switch.” The network elements of Dove cited by the Office as disclosing the first and second transport switches are not in a digital cross connect. Therefore, Applicants respectfully submit that the independent claims are also in condition for allowance for this additional reason.

Dependent Claims 2-9, 11, 12, 14-17, 19, and 20 depend from either independent Claims 19 or 20 and include the elements presented above as being novel and nonobvious over the cited art. Therefore, Applicants respectfully submit that the dependent claims are also in condition for allowance. As such, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. 102(e) and acceptance of Claims 2-9 and 11-20.

In addition, Applicants previously submitted that Dove does not teach or suggest that the claimed invention is “*performed in a central office*,” as recited in Claim 8 and as similarly recited in Claim 16, because the Office has interpreted Dove’s central office to be the claimed local switch and has interpreted components outside of the central office to be the remaining claimed elements; thus, not all in a central office. Applicants respectfully note that the Office has not addressed this argument in the current Office Action. Therefore, if the Office maintains that Claims 8 and 16 are still anticipated by Dove, Applicants respectfully request an explanation in response to their previous submission regarding Claims 8 and 16.

CONCLUSION

In view of the above remarks, it is believed that all now-pending claims (Claims 2-9 and 11-20) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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